

MESSAGE NO: 7129201 MESSAGE DATE: 05/09/2007

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-826

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/18/1994 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR THE ADD SCOPE RULING ON CERTAIN PAPER CLIPS FROM CHINA (PENDAFLEX PILE SMART LABEL CLIPS ARE NOT WITHIN SCOPE) (A-570-826)

MESSAGE NO: 7129201

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CASES: A - 570 - 826

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PERIOD COVERED: 05 18 1994 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR THE ADD SCOPE RULING ON CERTAIN PAPER CLIPS FROM CHINA (PENDAFLEX PILE SMART LABEL CLIPS ARE NOT WITHIN SCOPE) (A-570-826)

1. ON MAY 1, 2007, IN RESPONSE TO A REQUEST BY ESSELTE CORPORATION, THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT PENDAFLEX PILE SMART LABEL CLIPS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN PAPER CLIPS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-826).

2. THE COMMERCE DEPARTMENT DETERMINED THAT PENDAFLEX PILE SMART LABEL CLIPS ARE NOT WHOLLY MADE OF WIRE OF BASE METAL BUT ARE

STAINLESS STEEL WIRE ATTACHED TO MOLDED PLASTIC PARTS AND WRITEABLE/REWRITEABLE LABELS. THEREFORE, PENDAFLEX PILE SMART LABEL CLIPS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN PAPER CLIPS FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE MAY 18, 1994, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES OF PENDAFLEX PILE SMART LABEL CLIPS LISTED ABOVE WITHOUT REGARD TO ANTIDUMPING DUTIES.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE PENDAFLEX PILE SMART LABEL CLIPS LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ("CBP") ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS

ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF PAPER CLIPS SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING CERTAIN PAPER CLIPS FROM THE PEOPLE'S REPUBLIC OF CHINA.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC, OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O8: HES).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party